

**KENTUCKY DEPARTMENT OF EDUCATION**  
**STAFF NOTE**

**Action/Discussion Item:**

Request from the Webster County Public Schools for an extension of a waiver of 704 KAR 3:410, Section 7, Personnel, for the preschool education program lead teacher requirements

**Applicable Statute or Regulation:**

KRS 157.3175; 704 KAR 3:410, Section 7; 16 KAR 2:040

**Action Question:**

Should the Kentucky Board of Education (KBE) grant the request by Webster County Public Schools for a one-year extension of a previously approved two-year waiver of 704 KAR 3:410, Section 7?

**History/Background:**

***Existing Policy.*** Implementation of current regulation requires that all school districts move toward having Interdisciplinary Early Childhood Education (IECE) certified lead teachers in each preschool classroom, but allows current staff to remain in their positions (grandfathering). Newly hired teachers must hold the IECE certification.

The Kentucky Board of Education granted the Webster County Board of Education a two-year waiver from the 704 KAR 3:410, Section 7 requirement during the June 13-14, 2007 meeting. The lead teacher was allowed to teach preschool with the understanding that she would complete the IECE program by May of 2009.

Additional general education requirements necessary for enrollment in Murray State University's (MSU) four-year program were completed by the preschool teacher in the fall semester of 2007. In the spring semester of 2008, she started Murray State University's IECE program at Madisonville Community College (MCC). It was anticipated that program completion would take four (4) consecutive semesters.

However, the necessary classes were offered on a rotating basis at different sites. This made the challenge of meeting MSU coursework requirements at MCC within the approved deadline not feasible. Enrollment at another regional university, also pursued by the preschool teacher, was not a viable option.

As a result, the Webster County superintendent submitted a request for a one-year extension of the waiver of the 704 KAR 3:410, Section 7 requirement (See Attachments A and B – correspondence from the Webster County Public Schools and Murray State University).

**Policy Issues(s) and Options:**

When the preschool teacher taught in the Providence Independent School District as an Audubon Area Head Start lead teacher, she met Head Start teaching requirements. However, the merger of Providence Independent School District with Webster County Public Schools meant that she could not hold the lead teacher position without meeting the higher IECE certification standards.

KRS 156.160 (2) provides that upon the request of a local board of education or school council through the local superintendent, the KBE may waive one of its regulations when circumstances are demonstrated that may include the following:

- An alternative approach will achieve the same result required by the regulation;
- Implementation of the regulation will cause a hardship on the school district or school or jeopardize the continuation or development of programs; or
- There is a finding of good cause for the waiver.

If the teacher had taught in Webster County, instead of Providence Independent, she would have been exempted from the regulation in 2004.

**Staff Recommendation(s) and Rationale(s):**

There is good cause for a one-year extension of the waiver request to May 2010 to be granted to the Webster County Public Schools. Evidence exists that the teacher is diligently pursuing her IECE certificate, and she has developed a plan with the Murray State University's Chair of Early Childhood and Elementary Education for completing the program. KDE staff recommends that the Kentucky Board of Education grant the extension of the waiver request.

**Impact on Getting to Proficiency:**

Highly-qualified, certified teachers are essential to getting students to proficiency.

**Contact Person:**

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**Deputy Commissioner**

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**Commissioner of Education**

**Date:**

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